

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

David William Wood,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.: 3:15CV594 (MHL)
)	
EQUIFAX CREDIT INFORMATION)	
SERVICES, LLC; EXPERIAN)	
INFORMATION SOLUTIONS, INC.;)	
TRANS UNION, LLC;)	
CREDIT ONE BANK; and)	
MIDLAND CREDIT MANAGEMENT, INC.)	
)	

**DEFENDANT CREDIT ONE BANK, N.A.'S
RULE 26(a)(1) INITIAL DISCLOSURES**

COMES NOW this defendant, Credit One Bank, N.A. (misnamed as Credit One Bank) (“Credit One”) makes the following initial disclosures. Defendant has not fully completed discovery or preparation for trial in this action. The information contained herein and documents identified, described or produced, are based only upon information presently available to Defendant and are given in a good faith effort to comply with Rule 26(a)(1). These initial disclosures are therefore made without prejudice to Defendant’s right to produce any information which may subsequently be discovered or determined to be relevant to the subject matter of this action. These initial disclosures should not be construed as prejudicing or in any way limiting Defendant with respect to further discovery, research, analysis or proof.

1. Rule 26(a)(1)(A)(i) Individuals Likely to Have Discoverable Information.

Based upon information reasonably available at this time, the individuals identified below are believed to have discoverable information that the defendant may use to support its defenses,

not including information used solely for impeachment. Any contact with the individuals in the list should be made through Defendants' counsel of record.

a. Helen Lanham, Credit One Bank, N.A., 585 Pilot Road, Las Vegas, NV 89119. Ms. Lanham has knowledge regarding the credit reporting issues raised in this matter.

b. Plaintiff, David William Wood, c/o Leonard A. Bennett, Susan M. Rotkis, Consumer Litigation Services, Inc., 763 J. Clyde Morris Blvd., Suite 1-A, Newport News, VA 23601. All facts.

c. Employees of Midland Credit Management, Inc., Timothy St. George, Troutman Sanders, LLP, 1001 Haxall Point, Richmond, VA 23219. All facts.

d. Equifax Information Solutions, Inc., c/o John Willard Montgomery, Jr., Montgomery & Simpson, LLLP, 2116 Dabney Rd., Suite A-1, Richmond, VA 23230 (804) 355-8744. All facts.

e. Employees of Trans Union, LLC, c/o Gibson S. Wright, Morris & Morris, P.C., P.O. Box 30, Richmond, VA 23218, 804-344-8300. All facts.

f. Employees of Experian Information Solutions, Inc., c/o David Neal Anthony, Troutman Sanders LLP, 1001 Haxall Point, PO Box 1122, (804) 697-5410. All facts.

g. James F. Lynn, The Lynn Group, Inc., 613 Eldridge Drive, Suite 200, Silver Spring, MD 20904 3344, (301) 680 2599. Expert witness on behalf of Defendant Credit One.

h. All individuals identified as potential witnesses by any other party in their initial disclosures or elsewhere in discovery.

2. Rule 26(a)(1)(A)(ii) Description of Documents, Electronically Stored Information and Tangible Things Relevant to Claims.

Based upon information reasonably available at this time, the items identified below are in Defendant Credit One's possession, custody or control and may be used to support its defenses:

- a. Solicitation mailed May, 2013. See Exhibit No. 1.
- b. Application information. See Exhibit No. 2.
- c. Credit One Bank Cardholder Agreement effective June 10, 2013. See Exhibit No. 3.
- d. Account history notes. See Exhibit No. 4.
- e. Credit One Bank Credit Card Statement on account ending in 8609, dated June 10, 2013 to June 15, 2013. See Exhibit No. 5.
- f. Credit One Bank Credit Card Statement on account ending in 8609, dated June 16, 2013 to July 15, 2013. See Exhibit No. 6.
- g. Credit One Bank Credit Card Statement on account ending in 8609, dated July 16, 2013 to August 15, 2013. See Exhibit No. 7.
- h. Credit One Bank Credit Card Statement on account ending in 8609, dated August 16, 2013 to September 15, 2013. See Exhibit No. 8.
- i. Credit One Bank Credit Card Statement on account ending in 8609, dated September 16, 2013 to October 15, 2013. See Exhibit No. 9.
- j. Credit One Bank Credit Card Statement on account ending in 8609, dated October 16, 2013 to November 15, 2013. See Exhibit No. 10.
- k. Credit One Bank Credit Card Statement on account ending in 8609, dated November 16, 2013 to December 15, 2013. See Exhibit No. 11.

- l. Credit One Bank Credit Card Statement on account ending in 8609, dated December 16, 2013 to January 15, 2014. See Exhibit No. 12.
- m. Credit One Bank Credit Card Statement on account ending in 8609, dated January 16, 2014 to February 15, 2013. See Exhibit No. 13.
- n. Credit One Bank Credit Card Statement on account ending in 8609, dated February 16, 2014 to March 15, 2014. See Exhibit No. 14.
- o. Credit One Bank Credit Card Statement on account ending in 8609, dated March 16, 2014 to April 15, 2014. See Exhibit No. 15.
- p. Credit One Bank Credit Card Statement on account ending in 8609, dated April 16, 2014 to May 15, 2014. See Exhibit No. 16.
- q. Credit One Bank Credit Card Statement on account ending in 8609, dated May 16, 2014 to June 15, 2014. See Exhibit No. 17.
- r. ACDV from EquiCredit dated July 11, 2014. See Exhibit No. 18.
- s. Credit One Bank Credit Card Statement on account ending in 8609, dated June 16, 2014 to July 15, 2014. See Exhibit No. 19.
- t. Credit One Bank Credit Card Statement on account ending in 8609, dated July 16, 2014 to July 27 15, 2014. See Exhibit No. 20.
- u. Letter from David Wood to Credit One dated November 4, 2014. See Exhibit No. 21.
- v. Letter from Credit One to David Wood dated November 28, 2014. See Exhibit No. 22.
- w. Letter from David Wood to Credit One dated December 9, 2014. See Exhibit No. 23.

- x. Letter from Credit One to David Wood dated January 12, 2015. See Exhibit No. 24.
- y. ACDV from EquiCredit dated April 28, 2015. See Exhibit No. 25.
- z. ACDV from Experian dated June 10, 2015. See Exhibit No. 26.
- aa. ACDV from Experian dated June 15, 2015. See Exhibit No. 27.
- bb. ACDV from TransUnion dated April 28, 2015. See Exhibit No. 28.
- cc. ACDV from TransUnion dated May 1, 2015. See Exhibit No. 29.

3. Rule 26(a)(1)(A)(iii) Statement of the Basis for Damages Claimed.

Defendant Credit One has not made a claim for damages in this matter but reserves the right to do so.

4. Rule 26(a)(1)(A)(iv) Insurance Agreements.

At this time, Defendant Credit One is not aware of an insurance agreement covering this action.

5. Reservations.

Defendant Credit One's initial disclosures represent a good-faith effort to identify discoverable information that it reasonably believes may be used to support its defenses, not including any information that may be used solely for the purpose of impeachment. Nothing herein constitutes an admission by Defendant Credit One regarding any issue of fact or law.

Nothing in Defendant Credit One's initial disclosures constitutes a waiver of any rights or of any claims or defenses of any nature. Defendant Credit One's initial disclosures are subject to each and every objection and qualification set forth herein, and Defendant Credit One reserves all rights to present at trial additional witnesses and evidence not identified or encompassed by

these initial disclosures, and to present any rebuttal or impeachment evidence it deems appropriate.

Pursuant to Federal Rule of Civil Procedure 26(g)(1), the undersigned certifies that, to the best of its knowledge, information, and belief, formed after a reasonable inquiry, these initial disclosures are complete and correct.

CREDIT ONE BANK, N.A.

By Counsel,

/s/

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CERTIFICATE OF SERVICE

A copy of the foregoing was served this 23rd day of February 2016, on the following filing users via email:

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